IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 999 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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UJAVALKUMAR INDRAVADAN PATEL - Petitioner(s)

Versus

REGIONAL PASSPORT OFFICER - Respondent(s)

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Appearance :

MR NIKHILESH J SHAH for Petitioner(s) : 1,
RULE SERVED BY DS for Respondent(s) : 1,
MR JITENDRA MALKAN for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 02/02/2006

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the petitioner has prayed for appropriate writ, order and/or directions directing the respondent – Regional Passport Officer, to issue Passport to the petitioner in the name of his adoptive father i.e. Patel Ujvalkumar Indravadan.

2. It is the contention of the petitioner that his natural father is Ashokbhai Dhulabhai Patel and one Indravadan Ambalal Patel has adopted the petitioner and therefore, the said Indravadan Patel is adoptive father of the petitioner. It is also further submitted that all necessary formalities challenging the name of the petitioner from Ujvalkumar Ashokbhai Patel to

Ujvalkumar Indravadan Patel are completed. He has also relied upon the Notification issued in the Government Gazette to that effect. It is also the case of the petitioner that when the petitioner approached the respondent for getting Passport showing the name of his adoptive father i.e. Ujvalkumar Indravadan Patel, but the respondent authority has denied to issue the Passport in the said name.

3. Having heard the learned advocates appearing on behalf of the parties and considering the documents annexed with the petition such as, the copy of the Government Gazette etc., the petitioner is directed to produce all the relevant documents before the respondent Passport Authority and the respondent – Regional Passport Officer is hereby directed to verify the same and pass appropriate order in accordance with law and if satisfied, to issue passport to the petitioner showing the name of

his adoptive father i.e. **Ujvalkumar Indravadan Patel.** Such exercise be done as expeditiously as possible. However, it is made clear that this Court has not expressed any opinion on the merits of the case. Rule is made absolute to the aforesaid extent. However, there will be no order as to costs. DS Permitted.

(M.R.SHAH,J.)

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